

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v.-

MAXIM MIROSHNICHENKO,
a/k/a "Petr Iankov,"

Defendant.

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ORDER OF FORFEITURE

S2 10 Cr. 928 (VM)

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED

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DATE FILED:

2/28/11

WHEREAS, on or about December 6, 2010, MAXIM

MIROSHNICHENKO, a/k/a "Petr Iankov" (the "defendant"), was charged in a two-count Indictment, S2 10 Cr. 928 (VM) (the "Indictment"), with conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1349 (Count One), and conspiracy to possess false identification documents, in violation of Title 18, United States Code, Section 1028(f) (Count Two);

WHEREAS, the Indictment included a forfeiture allegation, seeking forfeiture to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C), any property constituting or derived from proceeds obtained directly or indirectly as a result of the offense alleged in Count One, including but not limited to a sum of money equal to \$28,550 in United States currency, in that such sum in aggregate is property representing the amount of proceeds

that the defendant obtained as a result of the offense alleged in Count One of the Indictment;

WHEREAS, on or about December 17, 2010, the defendant pled guilty to Count One of the Indictment and admitted to the forfeiture allegation, pursuant to a plea agreement with the Government, wherein the defendant agreed to forfeit a sum of money in the amount of \$28,550.00 in United States currency, representing the amount of proceeds obtained as a result of the offense alleged in Count One of the Indictment;

WHEREAS, the defendant consents to a money judgment in the amount of \$28,550.00 in United States currency, representing the amount of proceeds obtained as a result of the offense alleged in Count One of the Indictment, for which he will be jointly and severally liable with any such obligation of co-defendants NIKOLAY GARIFULIN and KASUM ADIGYUZELOV;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offense charged in Count One of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$28,550.00 in United States currency shall be entered against the defendant, such forfeiture obligation to be joint and several with any such obligation of co-defendants NIKOLAY GARIFULIN and KASUM ADGYUZELOV;

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Order of Forfeiture shall be final as to the defendant, MAXIM MIROSHNICHENKO, upon entry of this order, and shall be made part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Upon execution of this Order of Forfeiture, and pursuant to 21 U.S.C. § 853, the United States Treasury Department shall be authorized to deposit the payments on the money judgment in the Asset Forfeiture Fund, and the United States shall have clear title to such forfeited property.

4. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

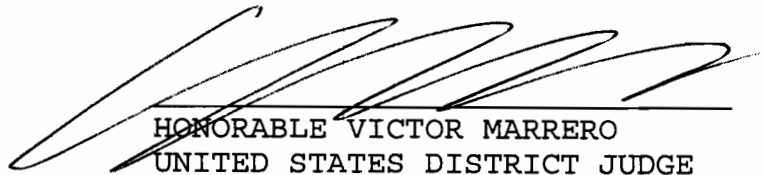
5. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Treasury Department (or its designee), and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Order of Forfeiture to Assistant United States Attorney Sharon Cohen Levin, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

DATED: New York, New York
February 28, 2011

SO ORDERED:



HONORABLE VICTOR MARRERO
UNITED STATES DISTRICT JUDGE